

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS**

In re AbbVie, Inc., et al.)	Case No. 17 C 1748
Coordinated Pretrial Proceedings)	Judge Kennelly
)	
This document relates to all cases)	

PRETRIAL ORDER NO. 2

An initial status / scheduling conference in this coordinated pretrial proceeding was held on 4/4/2014 with attorneys for all plaintiffs and all defendants in the previously-transferred cases present.

1. Additional cases to be transferred. Counsel on both sides should communicate with Judge Kennelly's courtroom deputy at least every 14 days to identify newly-filed cases that should be reassigned to the coordinated pretrial proceedings. The Court will take the necessary steps to accomplish reassignment of the six cases identified in the 4/1/2014 joint status report (Case Nos. 14 C 1726, 14 C 1826, 14 C 2085, 14 C 2140, 14 C 2221, and 14 C 2227) as well as the three others identified at today's conference (Case Nos. 14 C 2394, 14 C 2405, and 14 C 2406).

2. Lead / liaison counsel. The Court defers, for the time being, selection of lead and liaison counsel and/or a steering committee. That said, the Court encourages plaintiffs' counsel in the transferred cases to work together to delegate a subset of lawyers to communicate with defense counsel regarding the matters discussed in paragraph 3 of this order and to communicate with the courtroom deputy regarding newly-filed cases as discussed in paragraph 1 of this order.

3. Discovery-related matters. Prior to the next status hearing, counsel are directed to confer and attempt to reach agreement on the terms of: (a) a document preservation order (including electronically stored information); (b) a protective order; (c) matters relating to ESI as discussed at the conference; and (d) the format of a plaintiff's fact sheet.

4. Responses to complaints. Responses to the complaints in the

previously-transferred cases and those identified above are to be filed by no later than 6/4/2014. To the extent that defendants move to dismiss cases or claims, each defendant is to file a consolidated motion and memorandum addressing all of the cases naming that defendant already transferred and about to be transferred, and co-defendants are directed to make consolidated filings or adopt other defendants' filings to the extent possible, as the Court will not accept duplicative filings. The 6/4/2014 deadline is a firm date and is longer than the Court otherwise would permit, due to the fact that some defendants are dealing with multiple cases and the laws of multiple states. The Court advises that any motions to dismiss are to be noticed for presentment, as required by this District's local rules, for the date of 6/10/2014 at 9:30 a.m. On that date, the Court may conduct further inquiry regarding arguments addressing the adequacy of pleading under Rules 8 and 9.

5. Further briefing on motions to dismiss. Responses to any motions to dismiss are to be filed by 7/16/2014, and replies are to be filed by 7/30/2014. These responses and replies are also to be consolidated or adopted to the extent possible, and these deadlines are likewise firm dates.

6. Next status hearing. A further status hearing is set for 5/16/2014 at 9:00 AM and will be conducted by telephone. Counsel for AbbVie, which appears to be the only defendant named in all of the cases filed thus far, is directed to set up a call-in number and provide it to the Court by noon on 5/15/2014. Any counsel who wish to participate are to communicate with counsel for AbbVie by no later than 5/12/2014 so that counsel for AbbVie knows how many participants are likely.


MATTHEW F. KENNELLY
United States District Judge

Date: April 4, 2014